

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police - Hyderabad- Sri Syed Khaja Moinuddin, HC 6138 of PS Golconda Retired on 31-8-2006 – Judgment delivered by Hon'ble APAT dated: 26-11-2009 in OA.No. 4898 of 2007 – Payment of interest as per the Judgment of Hon'ble APAT –Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt.No. 1733

Dated:5-10-2010

Read the following:

1. From the Commissioner of Police, Hyderabad, Lr.No. H2/8562/2006, dated: 16-1-2010
2. Govt. Memo.No. 2413/Ser.II/A3/2010 dated: 26-2-2010
3. From the Commissioner of Police, Hyderabad, Lr.No.H2/8562/2006, dated: 5-3-2010
4. Govt. Memo. No. 2413/Ser.II/A3/2010, dated: 26-3-2010
5. From the Commissioner of Police, Hyderabad, Lr.No.H2/8562/2006, dated: 20-4-2010
6. Govt. Memo. No. 2413/Ser.II/A3/2010, dated:8 -6-2010

In the letter 1st read above, the Commissioner of Police, Hyderabad, has requested for instructions on the orders of the Hon'ble APAT in OA.No. 4898/2007, dated: 26-11-2009, wherein the Hon'ble Tribunal has directed the official respondents for payment of 8% interest on pension and other retirement benefits and interest on gratuity as prescribed under Gratuity Act or the rules framed there under, to Sri K. Moinuddin HC 6138 (retired) of Hyderabad City.

2. In the reference 6th read above, the Commissioner of Police, Hyderabad, was requested to pay the interest as per the Rules in the first instance and intimate the same to Hon'ble Tribunal to avoid legal complications. He was also informed that with regard to the payment of differential amount of interest, orders will be issued after further examination.

3. As per Cir.Memo.No.16077/135/A2/ Pen.I/2004, dated: 20-2-2006, interest shall be allowed on delayed payment of retirement gratuity at the rate of 4.5 % PA for the period beyond three months and upto one year and 5 % PA beyond one year after the gratuity becomes due and payable till end of the month preceding the month in which the payment is actually made. Further the Executing instruction (IV) under Rule 45 of RPRs 1980, i.e to recover the amount of interest paid on pension from the pension sanctioning authority is not applicable in the instance case, as the pension was not sanctioned due to pendency of OE., against the applicant.

4. Government after careful examination of the matter hereby permit the Commissioner of Police, Hyderabad, to implement the orders of the Hon'ble APAT dated 26-11-2009 in OA.No. 4898/2007 for payment of interest at the rate of 8 % p.a. on the pension and other benefits (except gratuity) and interest on gratuity in terms of Cir.Memo.No.16077/135/A2/ Pen.I/2004, dated: 20-2-2006, to Sri K. Moinuddin, HC 6138 of Hyderabad City.

5. The Commissioner of Police, Hyderabad, is therefore requested to take necessary action accordingly in the matter.

6 This order issues with the concurrence of the Finance Department vide their U.O.No.24025/247/A1/Pen.II/10, dated: 14-9-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Commissioner of Police, Hyderabad
The applicant through Commissioner of Police, Hyderabad,
Sc/Sf

//Forwarded:: By order//

SECTION OFFICER

